

J6ATBRAC

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 UNITED STATES OF AMERICA,

4 v.

18 CR 868 (SHS)

5 EVELIN BRACY,

6 Defendant.

7 -----x

8 New York, N.Y.

9 June 10, 2019

2:45 p.m.

10 Before:

11 HON. SIDNEY H. STEIN,

12 District Judge

13 APPEARANCES

14 GEOFFREY S. BERMAN

15 United States Attorney for the
16 Southern District of New York

THANE REHN

17 Assistant United States Attorney

18 THOMAS AMBROSIO

19 Attorney for Defendant

20 ALSO PRESENT: CHRISTINA WEISZ, Spanish interpreter
21 LEA HARMON, U.S. Probation Officer

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(Case called)

MR. REHN: Good afternoon, your, AUSA Thane Rehn appearing for the United States.

MR. ABROSIO: Good afternoon, your Honor, Thomas Ambrosio on behalf of Evelin Bracy, standing to my left.

THE COURT: Good afternoon.

And we have from pretrial?

MS. HARMON: Lea Harmon, your Honor.

THE COURT: Good afternoon to all of you. Please be seated.

This is an appeal from denial of bail, is that what this is, U.S. government?

MR. REHN: Yes, your Honor, although it's an appeal on consent. The parties have agreed to terms of the bail package.

THE COURT: I didn't realize that. What is the agreement?

MR. REHN: Your Honor, the agreement is that the defendant would be released on a \$100,000 personal recognizance bond to be secured by the signature of two financially responsible persons, as well as to be secured by real property. That property is located in New Jersey, and I understand that's the property to which the defendant will be returning and residing upon release.

THE COURT: What's the value of that?

MR. ABROSIO: Judge, there's approximately \$100,000 of

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1 equity in the home.

2 MR. REHN: That the defendant be subject to location
3 monitoring with home detention, meaning that she can go out for
4 work purposes upon working out a schedule for pretrial, and
5 she's already surrendered her travel documents, but she make no
6 new applications, and that travel be restricted to the District
7 of New Jersey and the Southern District and Eastern Districts
8 of New York, and pretrial supervision as directed.

9 THE COURT: Is she currently employed?

10 MR. ABROSIO: Judge, she's been in custody for almost
11 a year, but she does have the ability to get a job. She was a
12 hairdresser.

13 THE COURT: She was a hairdresser, and she also did
14 some maintaining homes as well.

15 MR. ABROSIO: Yes, Judge.

16 THE COURT: Can she get that hairdresser job back?

17 MR. ABROSIO: She believes that she would, yes.

18 THE COURT: Is that a full-time job, hair dressing?

19 MR. ABROSIO: It could be. She has a five-year-old
20 child, so it was a flexible job. She worked as much as she was
21 able to work.

22 THE COURT: And the package set forth by Mr. Rehn is
23 acceptable to the defense?

24 MR. ABROSIO: Yes, it is, your Honor.

25 THE COURT: All right. I'm going to release the

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1 defendant on the following conditions, a \$100,000 personal
2 recognizance bond cosigned by two financially responsible
3 persons acceptable to the government -- if they're not
4 acceptable, you can always come to me -- and secured by real
5 property in New Jersey with an approximate value in equity of
6 \$100,000. There's to be location monitoring with home
7 detention. She's allowed to leave for work. I'm informed
8 she's handed over all travel documents, including passports.
9 Is that correct, defense?

10 MR. ABROSIO: Yes, it is, your Honor.

11 THE COURT: And she's to have no new applications for
12 travel documents.

13 Her travel is restricted to the District of New Jersey
14 and the Southern District of New York and Eastern District of
15 New York. She's to have regular pretrial supervision. She's
16 to have no contact with co-defendants unless in the presence of
17 counsel. She's to maintain her residence and not relocate
18 without the prior approval of pretrial services, and she must
19 seek and maintain verifiable employment.

20 Anything else, government?

21 MR. REHN: Nothing further, your Honor.

22 THE COURT: Defense, anything?

23 MR. ABROSIO: Nothing further, your Honor.

24 THE COURT: She's not to be released until those
25 conditions are met, that is the \$100,000 personal recognizance

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1 bond and signing by two financially responsible persons.

2 MR. ABROSIO: Thank you very much, your Honor.

3 THE COURT: Ms. Bracy, do you understand the
4 conditions on which I have released you?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: You must follow all of those conditions or
7 you're going to be remanded back to prison. Do you understand
8 that?

9 THE DEFENDANT: Yes.

10 THE COURT: Well, listen to your pretrial services
11 officer, make sure you comply with all the conditions on which
12 I release you, and make sure that you appear for any conference
13 I set. Your lawyer will certainly notify you of any conference
14 I set. Do you understand that?

15 THE DEFENDANT: Yes.

16 THE COURT: And do you understand that if you violate
17 any condition that I set you can be remanded back into prison?

18 THE DEFENDANT: Yes.

19 THE COURT: All right. So follow all the conditions I
20 set. Thank you.

21 MR. ABROSIO: Thank you, your Honor.

22 (Adjourned)